

1 Kym S. Cushing
Nevada Bar No. 4242
2 Mark C. Severino
Nevada Bar No. 14117
3 Wilson, Elser, Moskowitz, Edelman & Dicker LLP
300 South Fourth Street, 11th Floor
4 Las Vegas, NV 89101
(702) 727-1400; Fax: (702) 727-1401
5 Kym.Cushing@wilsonelser.com
Mark.Severino@wilsonelser.com
6 *Attorneys for Defendant Costco Wholesale Corporation*

7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**
9

10 SHELLEY SCIRONE, an individual,

11 Plaintiff,

12 vs.

13 COSTCO WHOLESALE CORPORATION
and DOES 1 through 10 and ROE ENTITIES 1
14 through 10 inclusive,

15 Defendants.

CASE NO: 2:17-cv-01193-JCM-VCF

**JOINT STIPULATION/MOTION AND
ORDER TO REMAND THE CASE TO STATE
COURT**

16 The parties, Defendant, Costco Wholesale Corporation, by and through its counsel of
17 record, Wilson, Elser, Moskowitz, Edelman and Dicker, LLP, by Kym S. Cushing and Mark C.
18 Severino, and plaintiff, Shelley Scirone, by and through her counsel of record, Puoy K.
19 Premsrirut, Esq. Inc., by Puoy K. Premsrirut, hereby move the court and submit the following
20 STIPULATION/JOINT MOTION FOR REMAND:
21

- 22 1. The parties agree that the amount in controversy is less than \$50,000;
23 2. The plaintiff agrees that she shall not seek, nor shall she recover, damages in excess
24 of \$50,000 (in other words, plaintiff's potential damages shall be capped at \$50,000);
25 3. The case should be remanded to state court for lack of jurisdiction;
26 4. The parties agree to attend a settlement conference in state court in good faith; and
27
28

1 5. Neither party shall seek fees, costs, or other expenses associated with this motion for
2 remand.

3 Accordingly, the instant joint motion and order to remand the case to state court is hereby
4 submitted.

5 DATED this 31th day of January, 2018.

DATED this 31th day of January, 2018.

6 **BROWN, BROWN & PREMSRIRUT**

**WILSON, ELSE, MOSKOWITZ,
EDELMAN & DICKER LLP**

7 /s/ PUOY K. PREMSRIRUT

/s/ KYM S. CUSHING

8
9 Puoy K. Premsrirut, Esq.
10 Nevada Bar No.: 7141
11 520 S. Fourth Street, 2nd Floor
12 Las Vegas, NV 89101
13 *Attorneys for Plaintiff*

Kym S. Cushing
Nevada Bar No.: 4242
Mark C. Severino
Nevada Bar No. 14117
300 South 4th Street, 11th Floor
Las Vegas, NV 89101
Attorneys for Defendant

14
15 IT IS SO ORDERED.

16 Dated February 1, 2018.

17
18
19 
20 UNITED STATES DISTRICT JUDGE
21
22
23
24
25
26
27
28